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6 *Attorneys for the United States*

7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Case No. 2:19-mj-192-VCF

11 Plaintiff,

12 **Stipulation to Continue Bench Trial**  
**(Second Request)**

13 v.

14 AVINASH KUMAR,

15 Defendant.

16 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.  
17 Trutanich, United States Attorney, and Rachel Kent, Assistant United States Attorney,  
18 counsel for the United States of America, and Robert O'Brien, Assistant Federal Public  
19 Defender, counsel for the defendant, that the bench trial in the above-captioned matter,  
20 currently scheduled for October 23, 2019 at the hour of 9:00 a.m., be vacated and  
21 continued for sixty (60) days or to date and time convenient to the Court.

22 This stipulation is entered into for the following reasons:

23 1. The Ranger assigned to this case will not be available due to a mandatory  
24 training he must attend.

2. Defendant is out of custody and agrees to the continuance.

3. Denial of this request for a trial continuance would prejudice both the Defendants and the Government and unnecessarily consume this Court's valuable resources, taking into account the exercise of due diligence.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. This is the second request for continuance of the trial in this case.

DATED this 15th day of October, 2019.

Respectfully submitted,

NICHOLAS A. TRUTANICH  
United States Attorney

/s/ Robert O'Brien

/s/ Rachel Kent

ROBERT O'BRIEN, AFPD  
Counsel for defendant  
Attorney  
**AVINASH KUMAR**

RACHEL KENT  
Special Assistant United States

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
AVINASH KUMAR,  
Defendant.

Case No. 2:19-mj-192-VCF

**Order Continuing Bench Trial**

Based on the pending stipulation of counsel, and good cause appearing therefore,  
IT IS HEREBY ORDERED that the bench trial in the above-captioned matter  
currently scheduled for October 23, 2019, at the hour of 9:00 a.m. be vacated and continued  
to February 5, 2020, ~~2019~~, at the hour of 9:00 a.m.

DATED this 16th day of October, 2019



UNITED STATES MAGISTRATE JUDGE